

EXHIBIT C

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF WISCONSIN

3 GEORGIA-PACIFIC LLC and
4 UNITED STATES OF AMERICA,

5 Petitioners,

6 vs.

7 Case No. 10-MC-22

8 NCR CORPORATION and
9 FRED T. HEINRITZ,

10 Respondents.

11 Video Deposition of FRED T. HEINRITZ

12 Tuesday, June 22nd, 2010

13 9:01 a.m.

14 at

15 COPPER LEAF HOTEL
16 300 West College Avenue
17 Appleton, Wisconsin

18
19
20
21
22
23
24 Reported by Kealoha A. Schupp, RPR

1 MR. STEFFEK: Tony Steffek here for
2 Appleton Papers.

3 MR. WESTERFIELD: Evan Westerfield of
4 Sidley Austin on behalf of NCR Corporation and Fred
5 Heinritz.

6 THE WITNESS: Fred Heinritz.

7 MS. FORD: And on the phone, Renita Ford
8 with the United States Department of Justice
9 representing the United States Environmental
10 Protection Agency.

11 For assistance with the spelling,
12 R-E-N-I-T-A. Ford like the car.

13 FRED T. HEINRITZ, called as a witness
14 herein, having been first duly sworn on oath, was
15 examined and testified as follows:

16 MS. CONLIN: Good morning, Mr. Heinritz.

17 THE WITNESS: Good morning.

18 MS. CONLIN: If you could mark this,
19 please.

20 (Exhibit 1 marked for identification.)

EXAMINATION

22 BY MS. CONLIN:

23 Q I've handed you, Mr. Heinritz, what's been marked as
24 Deposition Exhibit No. 1. Do you understand that you
25 are pursuing here -- or appearing here pursuant to a

1 CB broke; do you see that?

2 A Yes.

3 Q Does that refresh your recollection at all that there
4 were discussions between Wiggins Teape and Appleton
5 regarding CB broke?

6 A No.

7 Q Where would you have gotten the information that is
8 contained in this letter?

9 MR. WESTERFIELD: Objection, lack of
10 foundation.

11 THE WITNESS: I have a lot of -- a lot of
12 reservations about the whole letter, so I -- I'm not
13 going to -- I have no idea where the letter came from
14 or what happened.

15 BY MS. CONLIN:

16 Q What are your reservations about the letter, sir?

17 A Well, it's not a -- it's not a letter that I wrote.
18 There's a note on the top that it's a copy. It's not
19 on our letterhead.

20 Down at the bottom it is marked
21 "signed" in parentheses. That would not be on the
22 letter. There's a word misspelled in there, which is
23 an English spelling instead of --

24 Q Which one's that, sir?

25 A "Favourably." That's not the way it would have come

1 out of my office.

2 Q Hold on. Let me just see where you're at.

3 A Second to last --

4 Q Oh, "This compares favourably" --

5 A Yes.

6 Q -- "with other" --

7 A That's not --

8 Q -- "white" -- okay.

9 A That's not -- that's not a spelling that would have
10 come out of my office. If it -- if my secretary
11 would have written it that way, I would have
12 corrected it before the letter went out, and I
13 don't -- I just don't think the letter is authentic.

14 Q Did you -- so let me just back up and pare this down.

15 Do you see at the bottom it's got
16 "F.T. Heinritz" at the bottom with a period?

17 A Yes.

18 Q Do you remember who your secretary was at the time?

19 A No.

20 Q Who -- well, do you recall your secretaries at any
21 point in time?

22 A We had a gal named Edy. She did most of our work.

23 Q And what was Edy's last name?

24 A I don't know.

25 Q Can't remember?